

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IOWA PUBLIC EMPLOYEES'  
RETIREMENT SYSTEM, et al.,

Plaintiffs,

-v-

MERRILL LYNCH, PIERCE,  
FENNER & SMITH INC., et al.,

Defendants.

CIVIL ACTION NO.: 17 Civ. 6221 (KPF) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

On October 21, 2021, the Court granted in part and denied in part Defendants' letter-motion requesting leave to file a 15-page sur-reply to Plaintiffs' motion for class certification (the "Class Certification Motion"), and Ordered that "Defendants may file a twelve-page sur-reply (exclusive of supporting exhibits), within thirty days." (The "October 21 Order" (ECF No. 476)).

Plaintiffs filed a letter-motion for reconsideration (the "Motion for Reconsideration") of the October 21 Order, requesting in the alternative that "in the event the [October 21 Order] is not reconsidered, Defendants' filing be limited to 12 pages inclusive of expert reports, and Plaintiffs be permitted to file a 10-page response to Defendants' sur-reply." (ECF No. 478 at 1).

Plaintiffs' Motion for Reconsideration is GRANTED, to the extent that that the Court clarifies that Defendants may file a twelve-page sur-reply brief, exclusive of exhibits (the "Sur-Reply"), and Plaintiffs may file a five-page sur-sur-reply brief, exclusive of exhibits (the "Sur-Sur-Reply"), and is otherwise DENIED.

Following the submission of Defendants' Sur-Reply and Plaintiffs' Sur-Sur-Reply, the Court will deem the Class Certification Motion to be ripe and will contact the parties in due course to schedule oral argument.

Dated: New York, New York  
October 25, 2021

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge